



PATENT APPLICATION
ATTORNEY DOCKET NO. 72371

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

Applicant: Kenneth G. Brash

Appln. No.: 09/980,676

Filed: October 19, 2001

Title: FUMIGATION APPARATUS AND METHOD

Group

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this date.

3/5/02 Kenneth H. Samples
Date Kenneth H. Samples
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Honorable Commissioner of Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, submitted herewith is a Information Disclosure Statement, PTO/SB/08A Substitute for Form PTO-1499, and copies of references cited thereon. Also submitted herewith is an International Search Report issued by the Australian Patent Office for the counterpart application PCT/AU00/00336.

U.S. PATENTS

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,318,789	Nakagawa et al.	June 7, 1994

FOREIGN PATENT DOCUMENTS

<u>Document No.</u>	<u>Publication Date</u>	<u>Translation</u>
JP 08-322449 A	Dec. 10, 1996	Abstract
AU-A-32801/95	Apr. 04, 1996	Yes
JP 02-303442 A	Dec. 17, 1990	Yes
JP 02-013341 A	Jan. 17, 1990	Yes



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OTHER DOCUMENTS

1. International Search Report for PCT/AU00/00336 issued by the Australian Patent Office on May 23, 2000.

Pursuant to 37 CFR §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b).

The Commissioner is hereby authorized to charge any fees which may be required in this application under 37 C.F.R. §§1.16-1.17 to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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PTO/SB/08A Substitute for Form PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/980,676		
		Filing Date	October 19, 2001		
		First Named Inventor	Kenneth G. Brash		
		Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket	72371

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ²	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		US-5,318,789	06-07-1994	Allpak Container, Inc.	Entire document

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		JP 08-322449 A	12-10-1996	Ishikawajima Harima	Abstract	Y
		AU-A-32801/95	04-04-1996	DEGESCH GMBH	P.13, 17, 19, 20	Y
		JP 02-303442 A	12-17-1990	Hitachi Plant Eng. Co	Abstract	Y
		JP 02-013341 A	01-17-1990	C Container-ZU	Abstract	Y

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		International Search Report for PCT/AU00/00336 issued by the Australian Patent Office on May 23, 2000.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.